

Appl. No. 10/002,882
Amdt. Dated January 9, 2006
Reply to Office action of November 29, 2005

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Remarks/Arguments

Claims 26-29 and 31-33 stand rejected, 35 USC 102(e), as anticipated by Giloi et al patent 6,850,985 (hereinafter Giloi). In response thereto applicants have canceled independent claim 29, replacing it with new claim 40 and have amended claims 26, 27, 31, 32, and 33 these dependent claims are dependent, directly or indirectly, on new claim 40 and, in some instances, to improve their form, and have added new claims 41 and 42, also dependent on new claim 40.

Applicants are disappointed that the Examiner, in continuing to reject the claims on Giloi, made no attempt to discuss or refute applicants' analysis of the Giloi disclosure, as set forth in applicants' prior Amendment. As therein set forth, in some detail, Giloi's disclosure and teaching are directed to the step of authenticating that a user is entitled to participate in a conference. While this step is also recited in applicants' independent claim as "determining that said user is entitled to participate in the conference", applicants' invention is primarily concerned with obtaining security of the communications being transmitted during the conference after it is set up.

The Examiner, in rejecting applicants' prior claim 29, cited Giloi column 2, lines 50-67 for applicants' step of authenticating a user as entitled to participate in the conference. Actually, what is described there, as part of the background of the Giloi invention, is the problem to which the Giloi teaching is addressed namely "However, the TP cannot independently authenticate the identity of a new node since the authentication/encryption protocol is at a lower layer, and, typically carried out between the node directly negotiating with the potential entrant." (column 2, lines 59-63) Giloi then states, in the summary of the invention, "In particular, conferences are described where conference participants can reliably learn the identity of a potential new entrant prior to the new entrant actually joining the conference. The use of authentication procedures to confirm a party's claimed identity restricts transactions to reliably known parties in secure conferences." (column 3, lines 28-35)

What the Examiner should have referred to, with respect to the step of determining that a user is entitled to participate in a conference, is the material at column 8, line 30-column 10, line 30, which, instead, the Examiner has mistakenly asserted is directed to applicants' novel and inventive steps for securing the communications being sent to users on the conference. Thus Giloi starts this material, at column 8, line 30, by referring to "Widely used authentication procedures..." Giloi discusses, starting at column 8, line 43 "In an authentication/encryption scheme..." Giloi then discusses "Forming the authentication certificate", column 9, line 31, and says that "The description provided of a possible authentication procedure is for illustrative purposes...", column 9, lines 57-58, and then concludes the material cited by the Examiner in a paragraph starting "Following authentication...", column 10, line 16.

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Clearly, the Examiner is in error in relying on this material as describing applicants' claimed steps of securing the communications, after and distinct from the step of determining the entitlement of the user to participate in the conference.

New claim 40, which combines prior claims 28 and 29, clearly recites this distinction between the authentication of entitlement of a user and the securing of the communications being sent in the conference. Thus claim 40 recites that the step of securing the communications occurs after the step of determining that the user is entitled to participate in the conference. Further the step of securing the communication is recited to include encrypting a secret conference session key with the user's secret key, the client process of the user obtaining the encrypted secret conference session key, the encryption of the message data, sending the encryption of the message data, the time stamp, and the authentication to the user, and, if the authentication and time stamp are valid, the client process decrypting the secret conference session key using the users' secret key and then decrypting the message data using the decrypted secret conference session key.

Applicants specifically take objection to the Examiner's assertion that Giloi, in the material at column 8, line 30 to column 10, line 30, describes or in any way suggests anything with respect to time stamping and encryption of message data, the sending of the time stamp and encryption of message data to a user, or the user decrypting a secret conference session key using its secret key and then decrypting message data using the decrypted secret conference session key.

New dependent claim 41 recites that applicants' authentication step involved executing a Kerberos protocol. As discussed above, Giloi's invention involves a completely different approach to the authentication step. New dependent claim 42 further distinguishes from Giloi by reciting that applicants' step of securing communications is based on a modified Session Initiation Protocol, whereas the Giloi system uses T.120 and H.323-based protocols.

Claim 27, now dependent on new claim 40, adds that the client process can enable a user to participate simultaneously in more than one conference and to proactively notify one or more other users of any changes to any of the conferences. The Examiner had cited Giloi Fig. 4 and column 10, line 31-46 and column 12, lines 20-30, as anticipating this dependent claim. In Fig. 4, however, there are not disclosed any multiple conferences. This figure is described at column 10, lines 31-46, cited by the Examiner, wherein multiple conference nodes can be linked together in a single conference. As stated at column 10, lines 41-46, "It should be noted that the top provider 100 maintains control over the conference and a GCC 115 with its associated database of conference participants and applications is maintained" (emphasis added). The discussion at column 12, lines 20-30 is directed to a user leaving a conference if a new addition to the conference is, for example, a possible competitor. There is certainly nothing there to suggest simultaneous multiple conferences involving a user.

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Similarly, with respect to claims 31 and 32, which are directed to the establishment of a second simultaneous conference call involving the other of a user's media devices, the references again to Fig. 4 and column 10, lines 31-46 are not relevant. The Examiner had also cited column 13, line 10 to column 14, line 6, but that just refers to being able to address other targets for addition to a conference, not to multiple conferences. The discussion of the prior art, at column 1, lines 32-45, similarly only refers to the desire to have conferences which include not merely audio and video connections but also other media devices.

Finally, with respect to claim 33, also dependent on new claim 40, and which is directed to the establishment of persistent conferences with the conference server retaining identification of the conference after users have left the conference, applicants submit that there is nothing at Giloi column 7, lines 1-16 or column 14, line 52 to column 15, line 20, remotely directed to persistent conferences. The material at column 7 merely discusses conferences being set up between clearly identified participants with a data base keeping a record of the current participants in the conference. There is certainly no mention or suggestion there of a persistent conference with identification of participants being maintained after users leave the conference. The material at column 5, which talks about isolating data pertinent to one conference connection from another conference connection, again has nothing relevant to applicants' persistent conferences, as recited in claim 33.

Since applicants do not want to lengthen the present Amendment, the Examiner is urged to review the discussion in applicants' prior Amendment in light of the above and the newly presented claims. As the Examiner is aware, a rejection of anticipation, 35 USC 102, means that the claims at issue literally read on the disclosure of the cited reference, or, as quoted at MPEP 2131, "A claim, is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." If the Examiner persists in the rejection of the newly presented claims in view of Giloi, the Examiner is requested both to refute the arguments set forth in the prior Amendment and above and also to identify where each and every element of the claims is to be found in Giloi to enable to applicants to respond to the rejection of anticipation based on Giloi in whatever further prosecution of this application may then be required.

Accordingly, favorable consideration and allowance of new independent claim 40 and dependent claims 26, 27, 31, 32, 33, 41, and 42 and passage of this application to issue are respectfully requested.

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If the Examiner believes it would in any way expedite the prosecution this application, the Examiner is invited to telephone applicants' attorney at the number set forth below.

Respectfully submitted,

Chit Chung et al

By: 

James W. Falk
Attorney for Applicants
Reg. No. 16,154
(732) 699 - 4465